

overcrowded, but the county court could handle the case. If all parties concerned were amenable to it they would simply switch and use the other judge and the other court and by that means the citizens of the particular community will be able to get faster service. So again, we're on the amendment to the committee amendment and that amendment to the committee amendment essentially creates the compromise insisted upon by the Bar Association and many of the judges that there be a commission instead of the authority being the Supreme Court. With that I'd ask the adoption of the amendment to the committee amendments.

PRESIDENT: Senator Lamb, do you wish to speak on this matter? I also have Senator Rod Johnson to speak.

SENATOR LAMB: Yes, Mr. President, I guess I have serious reservations about this bill in total and various parts of the Beutler amendment. First of all, you'll note that the arrangement of the overall judicial districts in the state will be...there will be only three, there will be only three. One of them will be Douglas County. Another district will be Lancaster County and then the third district is the whole rest of the state. I guess I don't understand that. I don't understand why we're having most of the attention focused on the outstate part of the overall problem if there is a problem. Now I've had a lot of letters from lawyers who are really skeptical about the plan because while it says in there that this commission would take into account sparsity of population and distance traveled, there is no criteria there that really sets up how the decisions will be made. Also I would like to draw your attention to the fact that we will be, the Legislature, will be giving up its authority in regard to setting judicial districts. We will be giving it to this new commission which is established and which will be dominated by the Supreme Court and a few other judges on that, and lawyers. Now in the Constitution, Article V, Section 11, says the Legislature may change the number of judges of district courts and alter the boundaries of judicial districts. It says the Legislature is charged with that duty. Now it's not clear to me that this is a constitutional proposal that we have before us since we are now giving that authority to this new commission. Perhaps Senator Beutler will be able to explain that, but it looks to me as if the Legislature under the Constitution is charged with this duty and under this amendment we would be giving that away or authorizing